

Assembly Bill No. 1019

Passed the Assembly July 10, 2003

Chief Clerk of the Assembly

Passed the Senate July 7, 2003

Secretary of the Senate

This bill was received by the Governor this _____ day of
_____, 2003, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act relating to parks.

LEGISLATIVE COUNSEL'S DIGEST

AB 1019, Nakanishi. Parks: property conversion and exchange.

Land in Oak Grove Regional Park in San Joaquin County was acquired with funds from various state bond measures. Those state bond measures require that property acquired or developed with bond act grant funds be used by the grantee only for the purposes for which the funds were requested and that no other use be permitted, except by a specific act of the Legislature.

This bill would authorize San Joaquin County to convert, for the purpose of road usage, specified land acquired with state bond funds within Oak Grove Regional Park in San Joaquin County if the conversion of the land is carried out in accordance with the requirements of the Public Park Preservation Act and if San Joaquin County submits to the Department of Parks and Recreation a copy of the recorded deed and title policy for the replacement land.

The bill would declare that, due to the unique circumstances pertaining to San Joaquin County, a general statute within the meaning of specified provisions of the California Constitution cannot be made applicable and a special statute is necessary.

The people of the State of California do enact as follows:

SECTION 1. (a) Notwithstanding any other provision of law, San Joaquin County may convert, for the purpose of road usage, a portion of Oak Grove Regional Park that was acquired and developed with state grant funds, if the following conditions are met:

(1) The conversion of park land is carried out in accordance with the requirements of the Public Park Preservation Act (Chapter 2.5 (commencing with Section 5400) of Division 5 of the Public Resources Code).



(2) San Joaquin County submits to the Department of Parks and Recreation a copy of the recorded deed and title policy for the replacement land.

(b) For purposes of subdivision (a), “a portion of Oak Grove Regional Park” means a portion of Section 6, Township 2 North, Range 6 East, and a portion of Section 1, Township 2 North, Range 5 East, Mount Diablo Base and Meridian, more particularly described as follows:

Commencing at the northeast corner of the northwest one-quarter of said Section 6; thence South $4^{\circ}21'19''$ East along the East line of said northwest one-quarter, a distance of 38.69 feet to the South right-of-way line of Eight Mile Road, and being the TRUE POINT OF THE BEGINNING; thence along said South right-of-way line the following four (4) courses: (1) westerly along a curve to the right from a tangent that bears North $88^{\circ}37'16''$ West, said curve having a radius of 21,525.90 feet (the long chord of which bears North $88^{\circ}16'40''$ West, 257.98 feet), an arc distance of 257.98 feet, (2) North $87^{\circ}56'04''$ West, 2,147.83 feet, (3) westerly along a curve to the left having a radius of 10,703.00 feet (the long chord of which bears North $89^{\circ}16'09''$ West, 498.61 feet), an arc distance of 498.66 feet to a point designated Point “A” for the purpose of this description, and (4) South $80^{\circ}47'50''$ West, 167.20 feet to the easterly right-of-way line of Interstate Highway Route No. 5; thence South $89^{\circ}54'38''$ East, 165.33 feet to a point that is 27.00 feet southerly of (measured radially) from Point “A”, thence parallel with said South right-of-way line of Eight Mile Road the following three (3) courses: (1) easterly along a curve to the right from a tangent that bears North $89^{\circ}23'46''$ East, said curve having a radius of 10,676.00 feet (the long chord of which bears South $89^{\circ}16'09''$ East, 497.36 feet), an arc distance of 497.40 feet, (2) South $87^{\circ}56'04''$ East, 2,147.83 feet, and (3) easterly along a curve to the left having a radius of 21,552.90 feet (the long chord of which bears South $87^{\circ}16'53''$ East, 261.02 feet) an arc distance of 261.02 feet to aforesaid East line of the northwest one-quarter of Section 6; thence North $04^{\circ}21'19''$ West along said East line, 27.14 feet to the true point of beginning containing 1.852 acres, more or less.

SEC. 2. The Legislature finds and declares that, because of the unique circumstances applicable only to San Joaquin County, a statute of general applicability cannot be enacted within the



meaning of subdivision (b) of Section 16 of Article IV of the California Constitution. Therefore, this special statute is necessary.



Approved _____, 2003

Governor

